

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ANTONIO SAUNDERS,

Plaintiff,

vs

9:03-CV-598

SUPERINTENDENT RICKS; COMMISSIONER
GOORD, Commissioner of Corrections; CAPTAIN
RACETTE; SERGEANT SINICAL; NURSE BUFFHAM;
OFFICER COOK; OFFICER WOODS, Correctional
Officer; LT. UHLER, Lt. at Disciplinary Hearing;
JOHN DOE, Officer; and NURSE RUSHFORD,

Defendants.

APPEARANCES:

ANTONIO SAUNDERS
658 Trails Lane
Newport News, VA 23608

HON. ELIOT SPITZER
Attorney General of the
State of New York
Attorney for Defendants
Department of Law
Suite 102
615 Erie Boulevard West
Syracuse, New York 13204

DAVID N. HURD
United States District Judge

OF COUNSEL:

PATRICK F. MacRAE, ESQ.
Asst. Attorney General

DECISION and ORDER

Plaintiff, Antonio Saunders, brought this civil rights action pursuant to 42 U.S.C. § 1983. By Report-Recommendation dated August 14, 2006, the Honorable George H. Lowe, United States Magistrate Judge, recommended that defendants' motion for summary judgment be granted. No objections to the Report-Recommendation have been filed.

Based upon a careful review of the entire file and the recommendations of Magistrate Judge Lowe, the Report-Recommendation is accepted and adopted in its entirety. See 28 U.S.C. 636(b)(1).

Accordingly, it is

ORDERED that

1. Defendants' motion for summary judgment is GRANTED;
2. The complaint is DISMISSED; and
3. The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 18, 2006
Utica, New York.



United States District Judge